

IV. REMARKS

1. Applicant appreciates the Examiner's indication of the allowance of claims 7, 8, 25 and 27-29. Claims 1, 3, 5, 6, 9 and 13 are amended herein. Claim 12 is cancelled without prejudice. Claim 31 is new.

2. The abstract is amended to delete the term "Fig. 7".

3. Claims 9-11 and 13-15 are not anticipated by Aoki. Aoki does not disclose or suggest each element of claim 9 for reasons discussed in the prior response, which are reasserted here. Furthermore, Aoki does not disclose or suggest "automatically and successively" adding the received reply as recited by Applicant in the claims. Thus, claims 9-11 and 13-15 should be allowable.

Aoki also does not, and cannot, retransmit a received reply to other communication terminals. Aoki merely transmits a compilation of the selection of "predetermined" responses, similar to a survey. Applicant's invention allows the reply to be a complete message text string that is not from a list of possible response choices. Aoki only allows the user to select a choice of a reply from a list of possible replies. The user selects a number of the selected reply, and does not actually form and send a reply as in Applicant's invention. Selecting a number corresponding to a prewritten reply is not the same as inputting a reply message, and then retransmitting the inputted reply message as party of an aggregation of message history.

In Aoki, the reply consists of selecting the number of a possible answer choice. The sender of the original message has already predetermined the form of each possible answer. (Col. 10, lines 25-30; FIG. 20). The recipient merely "selects" an "answer

choice". The recipient is not forming the reply. The form of the reply is "preformed." What happens then is that there is a "compilation" of answer data (FIGS. 25, 26B, 32-35). Data on the number of recipients that selected a certain answer is then retransmitted. (Col. 16, lines 49-57). There is no need to retransmit each reply message, since all recipients already know the possible reply messages. All that is needed is to know how many users selected a certain reply message from the list of possible reply messages, in the form of statistical data. Thus, Aoki is quite unlike Applicant's invention, where each and every reply message can be different, and needs to be retransmitted since the reply message cannot be known beforehand. Thus, Aoki does not disclose each and every feature of Applicant's invention as required to establish a *prima facie* case of anticipation. Therefore, claims 9-11 and 13-15 cannot be anticipated by Aoki under 35 U.S.C. §102(a).

4. Claim 16 is not unpatentable over Aoki in view of King et al. ("King") under 35 U.S.C. §103(a).

Claim 16 should be allowable at least in view of its dependency on claim 13.

King merely discloses that a two-way pager can be used to reply to received email, where the reply is composed of the original message "plus additional text added by the user." (Col. 7, lines 10-17). Applicant's invention adds the reply message text above the previous message text. No such disclosure is made by Aoki in view of King. Thus, claim 16 should be allowable.

5. Claims 1, 17-24 and 26 are not unpatentable over Aoki in view of King under 35 U.S.C. §103(a).

Nothing in either Aoki or King discloses or suggests the reply message text being automatically and successively added above a previous message text prior to transmission of the reply, as is received by Applicant in the claims. Thus, claims 1, 17-24 and 26 should be allowable.

6. Claims 3 and 30 are not unpatentable over Aoki in view of King under 35 U.S.C. §103 (a).

Claim 3 should be allowable over Aoki in view of King for similar reasons as stated above. Claim 30 should be allowable at least by reason of its dependency.

7. Claims 2 and 4 are not unpatentable over Aoki in view of King and further in view of Raith under 35 U.S.C. §103(a).

Both claims 2 and 4 should be allowable at least in view of their dependency from allowable claims, namely claims 1 and 3, for the reasons stated above. Raith is also not combinable with Aoki for the reasons recited in the prior response.

8. Claim 5 is not unpatentable over Aoki in view of King under 35 U.S.C. §103(a).

Claim 5 recites means for automatically adding said text input successively to the received message text for generating an aggregate text for replying to the message, prior to a transmission of the reply.

Aoki does not allow for entering a text input and automatically adding the text input successively to the received message. Rather in Aoki, the recipient only selects an "answer choice" that corresponds to a answer selected from a list of possible reply messages that has been predetermined by the user. (Col.

10, lines 25-30; FIG. 10). The recipient does not reply with a text message as claimed and described by Applicant. Rather, the recipient only has to choose a number corresponding to an answer. The text corresponding to the selected answer already exists in the system. (Col. 3, lines 37-39; 52-53; Col. 10, lines 21-30; FIG. 20). Thus, Aoki does not allow a recipient, unlike Applicant's invention, to enter a text input and automatically add the text input in a successive fashion to the received message as is claimed by Applicant.

King does not overcome at least this deficiency when combined with Aoki, and the references are not combinable for purposes of 35 U.S.C. §103(a). King talks about the reply being composed of the original message plus additional text added by the user. (Col. 7, lines 10-16). However, this feature serves no purpose for Aoki, since in Aoki, the messages are predetermined as noted above. There is no need for, and the user cannot in Aoki, add a "reply" message. In Aoki, you select a number corresponding to a predetermined response. This is not Applicant's invention. Thus, one would not be motivated to look to King from Aoki, since Aoki has no need for the text entry and editing feature of King. Thus, there is no motivation to combine the two references, and the two references are certainly not combinable to achieve Applicant's invention according to claim 5.

9. Claim 6 is not unpatentable over Aoki in view of King under 35 U.S.C. §103(a).

Again, Applicant reasserts that the combination of Aoki with King does not achieve Applicant's invention since there is no need in Aoki, nor is there any provision for the entry of a text reply to a message in Aoki. In Aoki, a user selects a number corresponding to a predetermined and pre-written answer. Thus,

there is no benefit to incorporating King with Aoki, since that provision of King is of no use in Aoki. Thus, claim 6 should be allowable.

10. With regards to the Examiner's response to Applicant's prior response arguments.

I. Although Aoki discloses each terminal receiving a question, Aoki does not disclose or suggest providing an answer to the question as claimed by Applicant. In Aoki, the possible "answer" messages have already been "written" or prepared by the user, similar to a survey form. (Col. 10, lines 21-30). The recipient of the "question" merely selects an answer choice from the list of possible choices. (Col. 3, lines 52-53). Thus, a group member does not "provide" an "answer" as proposed by the Examiner or as is claimed by Applicant, but simply rather selects a preformed answer from an answer list. Aoki merely allows the recipient to select an answer choice, and there is no disclose or suggestion that the answer choice sent in the reply is added to the original message. The user already has the possible answers (text). All the user needs to know is which possible answer is being selected. This is much different than what is being described and claimed by Applicant.


II. Aoki does not disclose or suggest that the reply from each replying terminal is transmitted to each communication terminal. Only the "question message" is sent to each terminal and only the "answer choices" are returned to the sending terminal. The reply text remains with the creator or user. It is only the compilation of the answer data that is retransmitted (Col. 15, lines 34-39).

Thus, Applicant respectfully submits that the above arguments and the previously stated reasons for patentability of Applicant's invention over the references cited by the Examiner are valid and the claims should be allowed.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

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Respectfully submitted,



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